

AGENCY NAME **Cleveland Metroparks Ranger Department**

CALL NUMBER **130000008664** GEOCODE **X**

TOB INCIDENT
TOA OFFENSE
TOC SUPPLEMENT

INCIDENT NUMBER **1-13-006574**

CLEARANCES
A DEATH OF OFFENDER
B PROSECUTION DECLINED
C EXTRADITION DENIED
D VICTIM REFUSED TO COME
E JUVENILE IN CUSTODY
F ARREST - ADULT
G ARREST - JUVENILE
H WARRANT ISSUED
I ARREST - PENDING
J CURED
K UNPLACED
L UNKNOWN

OHIO UNIFORM INCIDENT REPORT

CLEARANCE DATE **10/11/2013** CLEARED BY **18**
INCIDENT OCCURRED TO MONTH **10** DAY **11** YEAR **2013** TIME **1242**

REPORT DATE/TIME MONTH **10** DAY **11** YEAR **2013** TIME **1242**
INCIDENT OCCURRED FROM MONTH **10** DAY **11** YEAR **2013** TIME **1242**

INCIDENT LOCATION (Street, Apt, City, State, Zip)
0 UPPER EDGEWATER - CLIFF DR CLEVELAND, OH 44105

OFFENSE	OFFENSE CODE	A/C, F, M & DEGREE	TYPE OF CRIMINAL ACTIVITY
1. Soliciting	2907.24	C F3	1. 2. 3.
2. Public Indecency - engage in sex act	2907.09A2	C M3	1. 2. 3.
3. Drug Abuse-Abusing Harmful Intoxicants	2925.31	C M1	1. P 2. 3.
4.			1. P 2. 3.
5.			1. 2. 3.

LOCATION OF OFFENSE(s) (Enter up to two for each offense)

1. **48** 2. **48** 3. **48** 4. **48** 5.

RESIDENTIAL STRUCTURE	COMMERCIAL LOCATIONS	RETAIL	OUTSIDE
01 SINGLE FAMILY HOME	15 AUTO SHOP	26 BAR	43 YARD
02 MULTIPLE DWELLING	16 FINANCIAL INSTITUTION	27 BUY / SELL / TRADE SHOW	44 CONSTRUCTION SITE
03 RESIDENTIAL FACILITY	17 BARBER / BEAUTY SHOP	28 RESTAURANT	45 LAKE/WATERWAY
04 OTHER RESIDENTIAL	18 HOTEL/MOTEL	29 GAS STATION	46 FIELD/WOODS
05 GARAGE / SHED	19 DRY CLEANER/LAUNDRY	30 AUTO SALES LOT	47 STREET
06 TRANSIT FACILITY	20 PROFESSIONAL OFFICE	31 JEWELRY STORE	48 PARKING LOT
07 GOVERNMENT OFFICE	21 DOCTOR'S OFFICE	32 CLOTHING STORE	49 PARK/PLAYGROUND
08 SCHOOL	22 OTHER BUSINESS OFFICE	33 DRUGSTORE	50 CEMETERY
09 COLLEGE	23 AMUSEMENT CENTER	34 LIQUOR STORE	51 PUBLIC TRANSIT VEHICLE
10 CHURCH	24 RENTAL STORAGE FACILITY	35 SHOPPING MALL	52 OTHER OUTSIDE LOCATION
11 HOSPITAL	25 OTHER COMMERCIAL SERVICE LOC.	36 SPORTING GOODS	77 OTHER
		37 GROCERY / SUPERMARKET	
		38 VARIETY / CONVENIENCE	
		39 DEPARTMENT STORE	

LARCENY TYPE
23A POCKET PICKING
23B PURSE SNATCHING
23C SHOPLIFTING
23D THEFT FROM BUILDING
23E THEFT FROM COIN-OP MACH.
23F THEFT FROM MOTOR VEH.
23G MOTOR VEH. PARTS/ACCES
240 THEFT OF MOTOR VEHICLE
23H OTHER
SUSPECTED OF USING
A ALCOHOL
D DRUGS
C COMPUTER EQUIP
N NOT APPLICABLE

METHOD OF ENTRY	METHOD OF ENTRY - MOTOR VEHICLE THEFT	METHOD OF ENTRY - BURGLARY / B & E		
1 FORCE	01 MOTOR RUNNING / KEYS IN CAR	ENTRY EXIT ENTRY EXIT ENTRY EXIT		
2 NO FORCE	02 UNLOCKED	1 BASEMENT	1 DOOR	1 FRONT
NO PREMISES ENTERED	03 DUPLICATE KEY USED	2 1ST FLOOR	2 WINDOW	2 SIDE
	04 WINDOW BROKEN	3 2ND FLOOR	3 GARAGE	3 REAR
	05 TOWED	4 OTHER	4 SKYLIGHT	4 ROOF
			5 OTHER	5 OTHER

METHODS OF OPERATION

NO. **001** TOTAL VICTIMS **001** NAME (Last, First, Middle) **Society,**
ADDRESS (Street, Apt., City, State, Zip)
EMPLOYER NAME AND ADDRESS (Street, Apt., City, State, Zip)

AGE / DOB **N** SEX **N** RACE **W** **I** **A** **U** HEIGHT **0** WEIGHT **U** HAIR **U** EYES **U**
OCCUPATION **SSN** RESIDENT **1** RESIDENT **3** MILITARY **5** OTHER **X**
STATUS **2** TOURIST **4** STUDENT **6** UNKNOWN

VICTIM TYPE **I** INDIVIDUAL **F** FINANCIAL INSTITUTION **P** POLICE OFFICERS (IN THE LINE OF DUTY) **S** SOCIETY / PUBLIC **O** OTHER
B BUSINESS **G** GOVERNMENT **R** RELIGIOUS ORGANIZATION **U** UNKNOWN
VICTIM **Y** IF INJURED, DESCRIBE INJURIES
INJURED? **X** **N**

AGG. ASLT / HOMICIDE CIRCUM **VICT. OFF. RELAT NR** VICTIM LINKED TO OFFENDER NO(S) **01** VICTIM LINKED TO OFFENSE NO(S) **01 02 03 04**
My signature verifies that the information on this report is accurate and true.
REPORTING OFFICER **Valente, Nicholas** BADGE NO. **18** DATE **10/11/2013**
APPROVING OFFICER **Sylvia, Don** BADGE NO. DATE **10/12/2013**

FOLLOW-UP? If yes, follow-up assignment: **Y** **X** **N**
ADDITIONAL SUPPLEMENTS **X** VICTIM / WITNESS **X** PROPERTY STATEMENT FORM RECEIVED BY: INTELLIGENCE SPECIAL
X SUSPECT / ARREST **X** NARRATIVE OTHER INVESTIGATION RECORDS COPIES

INCIDENT REPORT - PART 2

INCIDENT LOCATION

0 UPPER EDGEWATER - CLIFF DR CLEVELAND, OH 44105

NO. NAME (Last, First, Middle)

AGE/D.O.B.

INCIDENT NUMBER

1-13-006574

REPORT DATE TIME

10/11/2013

1242

SSN

ADDRESS (Street, Apt. City, State, Zip)

PHONE

EMPLOYER NAME AND ADDRESS (Street, Apt., City, State, Zip)

PHONE

STATEMENT OBTAINED	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	TYPE	<input type="checkbox"/> WRITTEN	<input type="checkbox"/> ORAL	<input type="checkbox"/> TAPED	<input type="checkbox"/> OTHER	
CHECK CATEGORIES	STOLEN		RECOVERED		IMPOUNDED	RECEIVED	SUSPECT VEH	
VICTIM'S VEH	UNAUTH. USE		ABANDONED					
NO.	DAMAGE TO VEHICLE	LIC	LIS	LTY	LIT	VIN / OAN	VALUE	
1	THEFT FROM VEHICLE	FHJ2874	OH	/	PC	1J4RR4GG9BC675297		
VYR	VMA	VMO	VST	VCO	TOP	BLK	VEHICLE	
2011	JEEP				BOTTOM	BLK	LOCKED	
VEHICLE ASSOC. W/ SUSPECT NO.	VEHICLE ASSOC. W/ VICTIM NO.	VEHICLE TOWED?	<input checked="" type="checkbox"/> Y	TOWED BY	OWNERSHIP VERIFIED BY:	Y KEYS IN N VEHICLE	Y HOLD N VEHICLE	
			N	UNITED TOWING				
STOLEN MOTOR VEHICLE ONLY	NO. STOLEN	AREA STOLEN:	<input type="checkbox"/> RESID.	ADDITIONAL DESCRIPTION				
		<input type="checkbox"/> BUSINESS	<input type="checkbox"/> RURAL					
AUTO INSURER NAME (Company) ADDRESS (Street, City, State, Zip)							PHONE	

MOTOR VEHICLE RECOVERY ONLY	NO. RECOVERED	DATE REC.	STOLEN IN YOUR JURISDICTION	WHERE RECOVERED?				
TYPE PROPERTY LOSS / ETC.	(enter codes below)	1 NONE	3 COUNTERFEITED / FORGED	5 STOLEN / ETC.	7 RECOVERED	P PHOTO E EVIDENCE	TOTAL VALUE	
LOSS CODE	6	2 BURNED	4 DESTROYED / DAMAGED / VANDALIZED	6 SEIZED	U UNKNOWN		VALUE	\$2.00
QUANTITY	1	Envelope containing a small dark bottle with liquid inside. The bottle cap is covered with a sexual device commonly referred to as a "cock ring." The bottle				PROP CODE	31	\$1.00
VEH NO.	MAKE / BRAND	MODEL			DATE RECOVERED	10/11/2013		
SERIAL NUMBER	NCIC NUMBER	OTHER NUMBER						

LOSS CODE	6	QUANTITY	1	DESCRIPTION	Envelope containing a small rope with a small leather bag, and small metal twist cap container attached to it. The leather bag is marked with a cross, and	PROP CODE	15	VALUE	\$.00
VEH NO.	MAKE / BRAND	MODEL			DATE RECOVERED	10/11/2013			
SERIAL NUMBER	NCIC NUMBER	OTHER NUMBER							

LOSS CODE	QUANTITY	DESCRIPTION	PROP CODE	VALUE
VEH NO.	MAKE / BRAND	MODEL	DATE RECOVERED	
SERIAL NUMBER	NCIC NUMBER	OTHER NUMBER		

LOSS CODE	QUANTITY	DESCRIPTION	PROP CODE	VALUE
VEH NO.	MAKE / BRAND	MODEL	DATE RECOVERED	
SERIAL NUMBER	NCIC NUMBER	OTHER NUMBER		

PROPERTY CODES:	VALUABLES	16 Gambling Equipment	28 School Supplies	36 Automobiles	STRUCTURES
EXCHANGE MEDIUMS	08 Jewelry / Precious Metals	17 Computer Hardware / Soft.	29 Other Equipment	37 Bicycles	46 Single Occupancy
01 Money	09 Art Objects, Antiques	18 Office Equipment	CONSUMABLE ITEMS	38 Buses	47 Other Dwellings
02 Credit / Debit Card	10 Other Valuables	19 Stereo / TV Equip.	30 Alcohol	39 Trucks	48 Commercial Bus
03 Negotiable Instruments	PERSONAL EFFECTS	20 Recordings Audio / Vis.	31 Drugs / Narcotics	40 Trailers	49 Mobile Hq.
04 Other Exchange Mediums	11 Clothing Furs	21 Sports Equipment	32 Consumable Goods	41 Watercraft	50 Public Comm.
DOCUMENTS	12 Purses / Handbags / Wallets	22 Photographic Equip.	ANIMALS	42 Recreational Veh.	51 Storage
05 Non-Negotiable Instruments	13 Other Personal Effects	23 Farm Equipment	33 Livestock	43 Other Motor Veh.	52 Other Structure
06 Personal Papers	HOUSEHOLD ITEMS	24 Heavy Construction / Industrial	34 Household Pets	WEAPONS	OTHER
07 Other Documents	14 Household Items	25 Building Supplies - Const.	VEHICLES	44 Firearms	53 Merchandise
	EQUIPMENT	26 Tools	35 Aircraft	45 Other Weapons	54 Other Property
	15 Drug / Narcotic Equip.	27 Vehicle Parts / Acces.			55 Pending Inventory

On Friday October 11, 2013 at approximately 1242 hours while in plain clothes I walked through the parking lot referred to as the "Circle Lot" located within the Edgewater Park, Lakefront Reservation, Cleveland, Ohio, and Cuyahoga County. I observed James R. McGonegal enter the parking lot driving a black Jeep sport utility vehicle bearing Ohio plate FHJ2874. Shortly thereafter, McGonegal solicited me to perform a sex act upon him in exchange for money, exposed himself to me, and was found to be in possession of a harmful intoxicant.

McGonegal is being charged with:

Ohio Revised Code 2907.24(B)(C)(2) - Soliciting After Positive HIV Test [F-3]

PLEASE SEE ATTACHED NARRATIVE SUPPLEMENT

NARRATIVE SUPPLEMENT

VICTIM

Society,

OFFENSE

Soliciting

INC

Narrative Type: Initial Report

Topic: Sex Offense

Narrative Reporting Officer: Valente, Nicholas 18

Ohio Revised Code 2907.09(A)(2) - Public Indecency [M-3]

Ohio Revised Code 2925.31(A) - Abusing Harmful Intoxicants [M-1]

SUSPECT / ARRESTEE SUPPLEMENT

INCIDENT NO.

1-13-006574

INCIDENT DATE / TIME

10/11/2013 1242

CHARGES FILED?

Y X N

Society.

OFFENSE

Soliciting

CHECK APPROPRIATE CATEGORY

1 X ADULT JUVENILE SUSPECT ARRESTEE SUSPECT / ARRESTEE RUNAWAY MISSING OTHER

NAME (Last, First, Middle)

McGonegal, James R

SSN

GANG AFFILIATION

ADDRESS (Street, Apt., City, State, Zip)

PHONE

PHONE

PLACE OF BIRTH

DATE OF BIRTH

OCCUPATION / SCHOOL

AGE
D.O.B. 68 YRSSEX
MRACE
W X

A U

HGT

601

WGT

195

HAIR

WHI

EYES

BRO

MARTIAL STATUS

ADDITIONAL DESCRIPTIVES

SUSPECTED OF USING:

ALCOHOL DRUGS

POTENTIAL INJURIES

RESIDENT STATUS

01 RESIDENT 02 Y TOURIST 03 MILITARY 04 STUDENT 05 OTHER 06 UNKNOWN

TYPE WEAPON USED: ARRESTEE WAS ARMED WITH

SUSPECT USED 1. 99 2. 3. ARRESTEE ARMED WITH 1. 2. 3.

99 NONE	13B OTHER FULLY AUTOMATIC FIREARM	17 SIMULATED FIREARM	50 POISON
11 FIREARM	14 SHOTGUN	18 BB / PELLET GUN	60 EXPLOSIVES
12 HANDGUN	15 OTHER FIREARM	20 KNIFE / CUTTING INSTRUMENT	65 FIRE / INCENDIARY DEVICE
12A AUTOMATIC HANDGUN	15A SEMI-AUTOMATIC SPORTING RIFLE	30 BLUNT OBJECT	70 DRUGS / NARC / SLEEPING PILLS
13 RIFLE	15B SEMI-AUTOMATIC ASSAULT FIREARM	35 MOTOR VEHICLE	80 OTHER WEAPON
13A FULLY AUTOMATIC RIFLE	15C MACHINE PISTOL	40 PERSONAL WEAPON	85 ASPHYXIATION
	16 IMITATION FIREARM		U UNKNOWN

NAME	ADDRESS (Street, Apt., City, State, Zip)	PHONE
1.	1.	1.
2.	2.	2.

ARREST / OFFENSE DESCRIPTION	ARREST / OFFENSE CODE	F / M & DEGREE	ARREST LARCENY TYPE
1.	1.	1.	23A POCKET PICKING
2.	2.	2.	23B PURSE SNATCHING
3.	3.	3.	23C SHOPLIFTING
4.	4.	4.	23D THEFT FROM BUILDING
5.	5.	5.	23E THEFT FROM COIN-OP MACH.
			23F THEFT FROM MOTOR VEH.
			23G MOTOR VEH. PART
			240 THEFT OF MOTOR VEHICLE
			23H OTHER:

ARREST DATE	TIME	ARREST LOCATION (Street, Apt., City, State, Zip)

ARREST TRANSACTION NUMBER	WARRANT NUMBER	ARREST DISPOSITION	BAIL

MIRANDA WITNESSED BY: TIME READ

FINGERPRINTED	FINGERPRINT CARD NO.	PHOTOS TAKEN	NO. TAKEN	PHOTO ID NO.	FBI / BCI #
Y N		Y N			

MULTIPLE ARREST INDICATOR	MULTIPLE ARREST INDICATOR	ARREST TYPE	IN-PROGRESS	SUMMONS	CUSTODY
COUNT ARRESTEE		1 COMPLAINT	2 WARRANT	5 ORDER OF PROTECTION	6 OTHER
JUV. PARENT / GDN. NOTIFIED	Y N	DATE / TIME NOTIFIED	NOTIFIED BY	JUVENILE DISPOSITION	HANDLED WITHIN DEPT. / REFERRED TO OTHER AUTHORITIES
PARENT / GUARDIAN ADDRESS (Street, Apt., City, State, Zip)		RELATIONSHIP		PHONE	
PARENT / GUARDIAN ADDRESS (Street, Apt., City, State, Zip)		RELATIONSHIP		PHONE	
PREVIOUS RUN / MISS	Y N	DATE OF LAST CONTACT	DATE OF EMANCIPATION	NCIC #	DATE / TIME ENTERED
LAST SEEN WEARING					

REPORTING OFFICER / ARRESTING OFFICER

Valente, Nicholas

APPROVING OFFICER

Sylvia, Don

COURT

BADGE NO. DATE

18

10/11/2013

BADGE NO. DATE

10/12/2013

COURT DATE

NARRATIVE SUPPLEMENT

VICTIM

Society,

OFFENSE

Soliciting

INCIDENT NUMBER

1-13-006574

INCIDENT DATE / TIME

10/11/2013

Narrative Type: Supplement

Topic: Sex Offense

Narrative Reporting Officer: Valente, Nicholas 18

On Friday October 11, 2013 at approximately 1242 hours while in plain clothes I walked through the parking lot referred to as the "Circle Lot" located within the Edgewater Park, Lakefront Reservation, Cleveland, Ohio, Cuyahoga County

I observed James R. McGonegal enter the parking lot driving a black Jeep sport utility vehicle bearing Ohio plate FHJ2874. McGonegal made eye contact with me as I walked through the parking lot. I exited the parking lot and began to walk the trail directly to the east of the parking lot. McGonegal parked his vehicle in the closest possible parking space to the trail head where I had just begun to walk. After walking approximately fifty feet on the trail I stopped and looked back to see McGonegal had rolled his driver side front window down. McGonegal was tapping on the door frame and waving at me. I waved back at McGonegal and continued to walk the trail away from McGonegal. After approximately two minutes of walking I could no longer see McGonegal or the parking lot. I stopped, waited approximately two more minutes and began to walk back towards the parking lot.

As I walked back towards the parking lot I observed McGonegal backing out of his parking spot. McGonegal saw me walking back towards the parking lot, and pulled back into his parking space. As I made my way closer to the parking lot I could see McGonegal was continuing to look at me. Upon reaching the parking lot I began to walk by McGonegal's vehicle. McGonegal then engaged me in conversation, asking what I was doing. I told McGonegal I was just walking, and enjoying the nice weather. I asked McGonegal what he was up to. McGonegal responded by saying he was "cruising" (which is a common term used to mean he was actively looking for a person to engage in sexual relations with).

As I spoke with McGonegal I could see he was actively rubbing his genitals with his hand over his pants. As I observed McGonegal to be doing this he smiled at me. I asked McGonegal if he wanted to get out and go for a walk. McGonegal stated he didn't want to get out, and that he knew people that had been "busted" by the rangers in the park before. McGonegal asked if I wanted to get in his vehicle. I advised McGonegal that I didn't like to get into other people's vehicles. McGonegal stated he would give me a ride to my vehicle, which I told him was parked in the upper parking lot. McGonegal then suggested I could follow him to his home, stating he lived nearby. McGonegal asked me what I was into, and I told him I was into "everything, just like everybody else". I then asked McGonegal what he was into and he said he was "looking to get off." McGonegal then asked me if I "was looking for money." I advised McGonegal that I was. McGonegal then asked me how much money I wanted. I told McGonegal I did not know, and asked him what he wanted. McGonegal responded, saying he wanted "to get off" and "would pay [me] fifty dollars to get [him] off." I told McGonegal that would be okay. I then asked McGonegal "what exactly do you want, a blow job or a hand job?" McGonegal replied that he just wanted to get off. I then asked McGonegal if he was a cop. McGonegal stated he was not. I told him I was not sure and asked him to "see it." McGonegal then proceeded to unzip his pants. He removed his penis from his underpants, showed me his penis and began to masturbate. I then informed McGonegal that I was a park ranger and that he was under arrest.

At the time McGonegal exposed himself to me and began to masturbate there were other people in the immediate area, both in cars and on foot. I had McGonegal exit the vehicle, turning over his identification and car keys to me. McGonegal did so cooperatively. I then had McGonegal wait in the center of the parking lot until a marked patrol car could arrive.

Moments later Sergeant Sylvis and Ranger Thirion arrived on scene. Shortly after their arrival Ranger Peairs arrived on scene. McGonegal was placed in handcuffs and searched. He was then placed in the back seat of Ranger Peairs' patrol vehicle. While in the back of Ranger Peairs' vehicle, McGonegal advised me he was HIV positive.

While conducting a tow inventory of McGonegal's vehicle three sexual devices, commonly referred to as "cock rings," were located. One of these rings was wrapped around the lid to a bottle labeled "Pig Sweat." The bottle

REASON CLEARED	A DEATH OF OFFENDER	D VICTIM REFUSED TO COOP.	G ARREST - JUVENILE	J CLOSED	DATE CLEARED
	B PROSECUTION DECLINED	E JUVENILE / NO CUSTODY	H WARRANT ISSUED	K UNFOUNDED	10/11/2013
	C EXTRADITION DENIED	F ARREST - ADULT	I x INVEST. PENDING	U UNKNOWN	
REPORTING OFFICER	Valente, Nicholas		BADGE NO.	18	DATE 10/11/2013
APPROVING OFFICER	Sylvis, Don		BADGE NO.		DATE 10/12/2013

NARRATIVE SUPPLEMENT

VICTIM

Society,

OFFENSE

Soliciting

INCIDENT NUMBER

1-13-006574

INCIDENT DATE TIME

10/11/2013 1242

logo was of a pig/man figure wearing buttocks-free chaps. Below the name on the bottle was writing stating the product was nail polish remover. The labeling also indicated that the product contained isobutyl nitrite, a harmful intoxicant.

I returned to Ranger Peairs' vehicle and informed McGonegal of his Miranda rights, which he stated he understood and waived. I asked McGonegal about the "Pig Sweat." McGonegal stated he got it from a sex shop and he would smell the product and doing so gave him "a buzz."

McGonegal was transported to Cleveland Jail without incident by Ranger Peairs and myself. While at Cleveland Jail, McGonegal advised jail personell he was HIV positive. Before leaving the jail, Ranger Peairs also read McGonegal his Miranda rights and asked him about his HIV status. McGonegal again advised Ranger Peairs he was HIV positive.

McGonagal is being charged with:

Ohio Revised Code 2907.24(B)(C)(2) - Soliciting After Positive HIV Test [F-3]

Ohio Revised Code 2907.09(A)(2) - Public Indecency [M-3]

Ohio Revised Code 2925.31(A) - Abusing Harmful Intoxicants [M-1]

CPD RMS number 13-329600 was assigned to McGonegal.

REASON CLEARED	A <input type="checkbox"/> DEATH OF OFFENDER	D <input type="checkbox"/> VICTIM REFUSED TO COOP.	G <input type="checkbox"/> ARREST - JUVENILE	J <input type="checkbox"/> CLOSED	DATE CLEARED
	B <input type="checkbox"/> PROSECUTION DECLINED	E <input type="checkbox"/> JUVENILE / NO CUSTODY	H <input type="checkbox"/> WARRANT ISSUED	K <input type="checkbox"/> UNFOUNDED	
	C <input type="checkbox"/> EXTRADITION DENIED	F <input type="checkbox"/> ARREST - ADULT	I <input checked="" type="checkbox"/> INVEST. PENDING	U <input type="checkbox"/> UNKNOWN	10/11/2013
REPORTING OFFICER	Valente, Nicholas		BADGE NO.	18	DATE 10/11/2013
APPROVING OFFICER	Sylvis, Don		BADGE NO.		DATE 10/12/2013